

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court  
Southern District of Texas  
FILED

NOV - 2 2018

United States of America  
v.  
Humberto GARZA, YOB: 1962, USC

David J. Bradley, Clerk  
Case No. *M-18-2275-M*

\_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 1, 2018 in the county of Starr in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C., 841 (a)(1)	Knowingly and Intentionally Possess with Intent to Distribute approx. 27.5 kilograms of cocaine, a Schedule II Controlled Substance
21 U.S.C., 846	Knowingly and Intentionally Conspire to possess with Intent to Distribute approx. 27.5 kilograms of cocaine, a Schedule II Controlled Substance

This criminal complaint is based on these facts:

See Attachment "A".

☒ Continued on the attached sheet.

Approved by

*[Signature]*

Sworn to before me and signed in my presence.

Date: 11/02/2018

*8:23 am*

City and state: McAllen, Texas

*[Signature]*

*Complainant's signature*

Alfonso Perez Jr., DEA Special Agent

*Printed name and title*

*[Signature]*

*Judge's signature*

Peter E. Ormsby, U.S. Magistrate Judge

*Printed name and title*

**ATTACHMENT "A"**

On November 1, 2018, at approximately 6:41 P.M., a Border Patrol Agent (BPA), working a camera system, advised via service radio, that he observed several subjects with possible bundles of narcotics cross the river in an area known to agents as "Van Landing" in La Rosita, Texas. This area is notorious for narcotics smuggling due to its close proximity to the Rio Grande River and is surrounded by dense vegetation, making it easier for smugglers to operate with minimal detection.

The agent operating the camera advised that he had visual of a pickup truck with a water buffalo in the bed of the truck heading north from the Rio Grande River, where the subjects were observed crossing moments earlier. The camera operator advised agents that the vehicle was driving north onto US Hwy 83 and had turned east.

An agent activated his emergency lights in order to conduct an immigration inspection and the vehicle came to a stop. The driver, later identified as Humberto GARZA; DOB: 03/26/62, hereinafter referred to as GARZA, quickly exited his vehicle and began walking towards agents. GARZA advised agents that he was just giving water to his cows. GARZA was extremely nervous and sweating profusely, despite the fact he had just exited his air-conditioned truck. Agents asked GARZA if we could have consent to search the vehicle, to which GARZA replied yes and began to pace back and forth as agents conducted their inspection of the truck. Agents then noticed several small wooden boxes tucked underneath the toolbox, in front a large water buffalo, located in the bed of the truck.

GARZA then blurted out, "They forced me to..." and remained quiet. The K-9 immediately jumped into the bed of the truck and alerted to four wooden boxes that were hidden under the toolbox. After opening the boxes, agents discovered a bundle of U.S. currency and twenty five (25) bundles of cocaine, weighing approximately 27.5 kilograms.

Under Miranda advisement and waiver, GARZA told DEA agents that he believed the boxes contained marijuana and that he was going to receive four thousand dollars as payment for transporting the boxes.